

House Bill 177 (AS PASSED HOUSE AND SENATE)

By: Representatives Scott of the 2<sup>nd</sup>, Loudermilk of the 14<sup>th</sup>, Neal of the 1<sup>st</sup>, and Franklin of the 43<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 12-3-621 of the Official Code of Georgia Annotated, relating to protection and regulation of archeological, aboriginal, prehistoric, or historic sites, so as to change the type and manner of notice required to be given to the state archeologist prior to investigating such sites or seeking to recover artifacts; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 12-3-621 of the Official Code of Georgia Annotated, relating to protection and regulation of archeological, aboriginal, prehistoric, or historic sites, is amended by revising subsection (b) as follows:

"(b) When the surface of any archeological, aboriginal, prehistoric, or historic site is disturbed by a person not documented as operating under the provisions of Section 106 of the National Historic Preservation Act, as amended, for the purpose of investigating the site or discovering artifacts with the written permission of the landowner, such person shall notify the state archeologist ~~in writing at least five business days~~ before beginning any such investigation or disturbance. The state archeologist shall maintain a web site and telephone hot line, available at all times, for the purpose of receiving notice in such form as shall be specified by policy of the department. The state archeologist shall immediately notify the Council on American Indian Concerns created by Code Section 44-12-280 of any such investigation that might involve American Indian human remains or burial objects. The state archeologist shall make available to the council any information pertaining to investigations conducted pursuant to Section 106 of the National Historic Preservation Act, as amended."

**SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.